

## ACT 45

H.B. NO. 1890

A Bill for an Act Relating to the Unauthorized Practice of Law.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Without infringing upon the power of any court to prevent the unauthorized practice of law, the purpose of this Act is to make clear that the attorney general or any bar association in this State may maintain actions to prevent the unauthorized practice of law.

SECTION 2. Chapter 605 of the Hawaii Revised Statutes relating to the unauthorized practice of law is hereby amended by repealing section 605-15, by adding new sections 605-15, 605-15.1, and 605-15.2 and amending section 605-17 to read as follows:

**“Sec. 605-15 Venue.** Actions for violations of section 605-14 shall be brought in the circuit court for the judicial circuit in which the violation is alleged to have been committed.

**Sec. 605-15.1 Standing.** The attorney general or any bar association in this State may maintain an action for violations of section 605-14.

**Sec. 605-15.2 Remedies.** Remedies for the violation of section 605-14 shall include injunctive and declaratory relief, and other existing remedies. In addition, the attorney general may maintain a criminal action against any person who violates section 605-14, the penalties for which are set forth in section 605-17.

**Sec. 605-17 Penalties.** Any person violating sections 605-14 to 605-16 shall be guilty of a violation; but, upon any subsequent violation of the sections, the person shall be guilty of a misdemeanor.”

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.

SECTION 4. This Act shall take effect upon its approval.

(Approved May 3, 1975.)